

S/N 10/758,677

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. O'Phelan et al. Examiner: Mark H. Paschall
Serial No.: 10/758,677 Group Art Unit: 3742
Filed: January 15, 2004 Docket: 279.234US3
Title: FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE

COMMUNICATION CONCERNING RELATED APPLICATIONS

Commissioner for Patents
MS: Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/706,447 6,699,265	November 3, 2000	279.234US1	FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE
10/804,288	March 18, 2004	279.339US3	METHOD FOR INTERCONNECTING ANODES AND CATHODES IN A FLAT CAPACITOR
10/846,805	May 14, 2004	279.271US2	CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER
10/874,798	June 23, 2004	279.823US1	METHOD AND APPARATUS FOR PROVIDING FLEXIBLE PARTIALLY ETCHED CAPACITOR ELECTRODE INTERCONNECT

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By Applicants' Representatives,

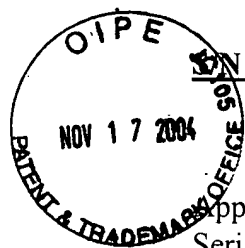
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Minneapolis, MN 55402
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Date 11/15/04 By Peter C Maki
Peter C. Maki
Reg. No. 42,832

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, MS: Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15 day of November, 2004.

Paula Suchy
Name

Paula Suchy
Signature



10/758,677

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.:	10/758,677	Group Art Unit:	3742
Filed:	January 15, 2004	Docket:	279.234US3
Title:	FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE		

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants hereby authorize the Commissioner to charge the fee of \$180.00, as set forth in 37 C.F.R. §1.17(p), to Deposit Account No. 19-0743.

11/18/2004 FMETEK11 00000037 190743 10758677

02 FC:1806 180.00 DA

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By their Representatives,

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Date

11/15/04

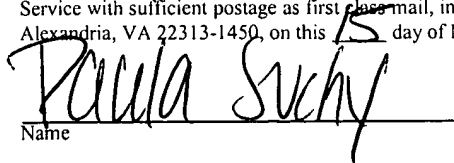
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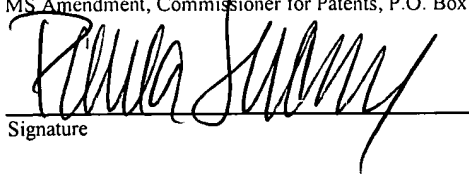
Peter C. Maki
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Name



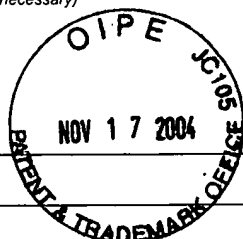
Signature



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/758,677
Filing Date	January 15, 2004
First Named Inventor	O'Phelan, Michael
Group Art Unit	3742
Examiner Name	Paschall, Mark

Sheet 1 of 3

Attorney Docket No: 279.234US3

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-2003/0030969 A1	02/19/2004	Paul, George L., et al.	08/07/2003
	US-2004/0019268 A1	01/29/2004	Schmidt, Brian L., et al.	04/15/2003
	US-2004/0032698 A1	02/13/2003	Farahmandi, C. J., et al.	09/06/2002
	US-2004/0114311 A1	06/17/2004	O'Phelan, M. J., et al.	12/05/2003
	US-2004/0127952 A1	07/01/2004	O'Phelan, M. J., et al.	02/07/2003
	US-2004/0173835 A1	09/09/2004	Schmidt, Brian L., et al.	03/18/2004
	US-3,818,177	06/18/1974	Needham, James C., et al.	09/05/1972
	US-3,894,210	07/08/1975	Smith, Gordon A., et al.	03/20/1973
	US-4,033,848	07/05/1977	Strempe, Thomas G., et al.	10/15/1975
	US-4,059,216	11/22/1977	Meyer, Lewis M.	12/15/1975
	US-4,107,022	08/15/1978	Strempe, Thomas G., et al.	04/29/1977
	US-4,171,477	10/16/1979	Funari, J.	12/17/1976
	US-4,384,188	05/17/1983	Wright, Jr., William E.	04/09/1981
	US-4,481,083	11/06/1984	Ball, John A., et al.	08/31/1983
	US-4,562,511	12/31/1985	Nishino, Atsushi, et al.	06/30/1983
	US-5,302,414	04/12/1994	Aklhimov, Anatoly P., et al.	05/19/1990
	US-5,634,938	06/03/1997	Swanson, David K., et al.	10/25/1995
	US-5,808,857	09/15/1998	Stevens, J. I.	08/05/1997
	US-5,901,867	05/11/1999	Mattson, Larry J.	06/24/1997
	US-5,950,131	09/07/1999	Vilmur, R. J.	10/29/1996
	US-6,117,194	09/12/2000	Strange, Thomas F., et al.	01/12/1999
	US-6,204,476	03/20/2001	Reynolds, Jon O., et al.	05/12/1999
	US-6,375,688	04/23/2002	Akami, K., et al.	09/07/1999
	US-6,404,619	06/11/2002	Marshall, Timothy R., et al.	12/09/1999
	US-6,409,776	06/25/2002	Yan, Jenn-Feng, et al.	06/30/2000
	US-6,556,863	04/29/2003	O'Phelan, Michael J., et al.	10/02/1998
	US-6,585,152	07/01/2003	Farahmandi, C. J., et al.	02/13/2001
	US-6,674,634	01/06/2004	O'Phelan, Michael J., et al.	11/04/2002

EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

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Group Art Unit	3742
Examiner Name	Paschall, Mark

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Attorney Docket No: 279.234US3

	US-6,684,102	01/27/2004	O'Phelan, Michael J., et al.	11/03/2000
	US-6,687,118	02/03/2004	O'Phelan, Michael J., et al.	11/03/2000
	US-6,699,265	03/02/2004	O'Phelan, Michael J., et al.	11/03/2000
	US-6,709,946	03/23/2004	O'Phelan, Michael J., et al.	11/19/2002
	US-6,736,956	05/18/2004	Hemphill, Ralph J., et al.	05/07/2001
	US-6,763,265	07/13/2004	O'Phelan, M. J., et al.	04/17/2003

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T ²
	JP-52-004051	01/12/1977	Nakamura, Jin , et al.	
	JP-59-083772	05/15/1984	Teramatsu, Makoto	
	WO-98/54739A1	12/09/1998	Vassallo, Anthony , et al.	
	WO- 00/19470	04/06/2000	O'Phelan, Michael J.	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BLOCK, MICHAEL , "Biphasic Defibrillation Using a Single Capacitor with Large Capacitance: Reduction of Peak Voltages and ICD Device Size", <u>PACE</u> , Vo. 19, (February 1996),207-214	
		BLOCK, MICHAEL , "Internal Defibrillation with Smaller Capacitors: A Prospective Randomized Cross-Over Comparison of Defibrillation Efficacy Obtained with 90-iF and 125-iF Capacitors in Humans", <u>Journal of Cardiovascular Electrophysiology</u> , Vol. 6, No. 5, (May 1995),333-342	
		BRUGADA, J. , "Clinical evaluation of defibrillation efficacy with a new single-capacitor biphasic waveform in patients undergoing implantation of an implantable cardioverter defibrillator", <u>The European Society of Cardiology</u> , Vol. 3, (October 2001),278-284	
		HAHN, STEPHEN J., et al., "LARGE CAPACITOR DEFIBRILLATION WAVEFORM REDUCES PEAK VOLTAGES WITHOUT INCREASING ENERGIES", <u>PACE</u> , Vol. 18, Part II, (January 1995),203-207	
		MORLEY, A. R., et al., "Electrolytic capacitors: their fabrication and the interpretation of their operations behaviour", <u>The Radio and Electronic Engineer</u> , Vol. 43, No. 7, (July 1973),421-429	
		O'PHELAN, MICHAEL J., et al., "CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER", <u>Application Serial No. 09/706,579</u> , Filed November 3, 2000 Attorney Docket No. 279.271US1, 29 pgs.	
		O'PHELAN, MICHAEL , et al., "CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER", <u>Application Serial No. 10/846,805</u> , Filed May 14, 2004 Attorney Docket No. 279.271US2, 39 pgs.	
		O'PHELAN, MICHAEL J., et al., "FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE", <u>Application Serial No. 10/758,701</u> , Filed January 15, 2004 Attorney Docket No. 279.234US4, 219 pgs.	

EXAMINER**DATE CONSIDERED**

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Sheet 3 of 3

Attorney Docket No: 279.234US3

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		O'PHELAN, MICHAEL J., "FLAT CAPACITOR HAVING AN ACTIVE CASE", Application Serial No. 09/706,517, Filed November 3, 2000 Attorney Docket No. 279.235US1, 39 pgs.	
		O'PHELAN, MICHAEL J., et al., "IMPLANTABLE HEART MONITORS HAVING CAPACITORS WITH ENDCAP HEADERS", Application Serial No. 10/736,209, Filed December 15, 2003 Attorney Docket No. 279.088US2, 19 pgs.	
		O'PHELAN, MICHAEL J., et al., "IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES", Application Serial No. 10/729,424, Filed December 4, 2003 Attorney Docket No. 279.171US3, 28 pgs.	
		O'PHELAN, MICHAEL, et al., "METHOD FOR INTERCONNECTING ANODES AND CATHODES IN A FLAT CAPACITOR", Application Serial No. 10/874,798, filed June 23, 2004 Attorney Docket No. 279.823US1, 39 pgs.	
		O'PHELAN, MICHAEL, et al., "METHOD OF CONSTRUCTING A CAPACITOR STACK FOR A FLAT CAPACITOR", Application Ser. No. 10/882,144, Filed June 30, 2004 Attorney Docket No. 279.169US3, 57 pgs.	
		SCHMIDT, BRIAN L., et al., "CONFIGURATIONS AND METHODS FOR MAKING CAPACITOR CONNECTIONS", Application Serial No. 09/706/576, Filed November 3, 2000 Attorney Docket No. 279.268US1, 26 pgs.	

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